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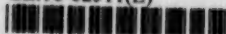
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Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

United Republic of Tanzania

The present report is a summary of 25 stakeholders' submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.



I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles

A. Background and framework²

1. CHRAGG stated that the United Republic of Tanzania (Tanzania) had not ratified CAT, ICRMW and ICPPED and recommended ratification of those Conventions.³

B. Cooperation with human rights mechanisms

2. CHRAGG stated that over 50 percent of the supported recommendations from Tanzania's first universal periodic review (2011 review),⁴ had been implemented through enactment or amendment of legislation, formulation of policies, and establishment of various programmes and other initiatives.⁵

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law (part to be added only if relevant)

3. CHRAGG expressed concern that Tanzania had not made any notable progress towards the abolition of capital punishment and recommended the launch of a comprehensive initiative in this regard.⁶

4. CHRAGG expressed concern about extra judicial killings by law enforcement officials when combating violent crimes and the excessive use of force when handling public assemblies and rallies. It recommended the prosecution of alleged perpetrators, training on human rights for law enforcement personnel, and revising the Police and Auxiliary Services Act and other relevant laws in line with human rights standards.⁷

5. CHRAGG stated that there were continued incidences of brutal attacks and killings of persons with albinism and older women. The killings of persons with albinism have been attributed to superstitious beliefs. CHRAGG recommended bringing to justice perpetrators as well as end users and beneficiaries of the body parts of persons with albinism; and enhancing public awareness campaigns to stamp out superstitious beliefs.⁸

6. CHRAGG stated that conditions such as inadequate food, poor sanitation and health facilities remained in the prisons.⁹ Also, 80 percent of the children held in prisons and police cells were not separated from adults. Children had limited access to legal services and there were inadequate social services to handle children in conflict with the law. There was only one juvenile court and no retention home for juvenile offenders in Zanzibar.¹⁰

7. CHRAGG stated that there were recurring land disputes characterised by forced evictions, delayed and inadequate compensations, and violent conflict between farmers and pastoralists.¹¹

8. CHRAGG stated that persons with albinism were dying from cancer because they could afford the preventative and treatment services. It recommended that Tanzania ensure availability of free health services including sunscreen lotions, diagnosis, and treatment of skin cancer.¹²

9. CHRAGG recommended the allocation of an adequate budget for education, the timely payment of teachers' salaries and other remuneration and the full implementation of the education policies.¹³
10. CHRAGG recommended the allocation of adequate resources to implement the Persons with Disabilities Act.¹⁴
11. CHRAGG stated that Tanzania was yet to formally recognise its indigenous communities.¹⁵

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

12. CS recommended the ratification of ILO Convention 169.¹⁶

2. Constitutional and legislative framework

13. JS5 stated that although people expressed their opinions on the proposed Constitution to the Constitutional Review Commission, those opinions were disregarded by the Constituent Assembly.¹⁷

14. ADF International stated that while the proposed Constitution provided for "safe motherhood" and "safe reproductive health" it must be clarified that those provisions did not create a right to abortion.¹⁸ The proposed Constitution must recognize that the right to life is inherent and must explicitly protect the right to life from conception.¹⁹ Also, the proposed Constitution failed to recognize the importance of the family.²⁰

15. ARTICLE 19 stated that the Cybercrimes Act 2015 did not provide any procedural safeguards for human rights; imposed disproportionate criminal sanctions; and conferred discretionary power on law enforcement officials to conduct searches without judicial oversight.²¹ It recommended amending the Act in conformity with international standards in relation to freedom of expression.²²

16. JS7 stated that Tanzania currently lacked a comprehensive data protection and privacy law. It recommended enacting a law on data protection and privacy in compliance with international human rights standards and establishing an independent data protection authority.²³

17. ARTICLE 19 recommended amending the Statistics Act 2015 in conformity with international standards of freedom of expression,²⁴ as well as all laws infringing on freedom of expression and access to information;²⁵ and enacting a progressive law on access to information.²⁶

18. ARTICLE 19 stated that the criminalization of defamation was a disproportionate restriction on the freedom of expression.²⁷ It recommended the decriminalization of defamation and the introduction of civil remedies.²⁸

19. HRW recommended the incorporation of the Rome Statute of the International Criminal Court in national legislation.²⁹

20. JS11 stated that Tanzania lacked specific laws to govern corporate social responsibility and recommended the adoption of such laws.³⁰

3. Institutional and human rights infrastructure and policy measures

21. JS11 stated that CHRAGG was ineffective due to the organization being poorly funded, having limited power to enforce its recommendations and was unable to have its reports discussed in Parliament.³¹

22. JS11 stated that the public's trust in the National Electoral Commission and the credibility of the Commission was diminished by the appointment of its Chairman and Commissioners by the President of Tanzania, who was also the Chairman of the ruling party, as well as the Commission's reliance on local government leaders in rural areas, who were also presidential appointees.³² JS11 stated that corruption was rampant and that the National Anti-Corruption Strategy and Action Plan had not been fully implemented.³³

B. Cooperation with human rights mechanisms

Cooperation with special procedures

23. JS2 recommended extending a standing invitation to the United Nations Special Procedures.³⁴

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

24. JS13 expressed concern with the application of customary laws which discriminated against women, particularly in matters of inheritance, marriage and property ownership.³⁵

25. JS9 and JS11 stated that the inheritance regime violated women's fundamental rights to equality and ownership of property. The multiplicity of legal systems as to the administration of deceased's estate i.e. Statutory law, Customary law, Islamic law and Hindu law gave rise to a conflict of laws leading to the question of choice of law in relation to the distribution of assets from a deceased person's estate. JS9 and JS11 called for the enactment of a uniform and non-discriminatory law on succession; the repealing of all laws which discriminate and deny women's rights including customary laws; and the establishment of family courts.³⁶

26. EGPAF stated that traditional practices including "wife inheritance" by a male relative of the deceased husband, female genital mutilation,³⁷ early or child marriages, and limited property rights for widows, placed women at a higher risk of HIV.³⁸

27. EGPAF stated that gender inequality increased the risk of being infected with HIV for women and girls, and interfered with the ability of those living with HIV to seek treatment.³⁹

28. EGPAF stated that stigma and discrimination stood in the way of people seeking a diagnosis, disclosing their status to others, and keeping up with treatment for fear of the impact this might have on personal, societal, or professional relations. Children living with HIV suffered from the impact of stigma and discrimination, and poor treatment by teachers and schoolmates often discouraged children from staying in school or taking their medicine. The HIV/AIDS (Prevention and Control) Act of 2008 legislates against discrimination. However the Act contributes to the stigmatization of persons living with HIV through the criminalization of the transmission of the HIV, and encourages persons living with HIV to hide their status, or to refrain from being tested, for fear of the legal ramifications of unintentional transmission.⁴⁰

2 Right to life, liberty and security of the person

29. JS6 stated that at the 2011 review, Tanzania supported recommendations relating to the prosecution of police officers for alleged torture, the protection of the population from violence committed by the security forces and the establishment of an independent mechanism for receiving and investigating complaints in relation to those alleged acts, all of which have not been implemented.⁴¹
30. JS8 and JS11 stated that there were several incidents of arbitrary arrest, torture, rape and inhuman treatment of members of key populations and sexual minorities, often combined with extortion for money or sex. In most of those cases, the police refused to accept complaints from victims.⁴²
31. JS11 stated that Operation Tokomeza Ujangili to stop poaching resulted in the death of nine people as a result of torture. Also, in 22 districts, the military illegally arrested, tortured, and humiliated victims many of whom were indigenous people and pastoralists. JS11 recommended the prosecution of those involved with the Operation; and fair and adequate compensation for the victims.⁴³
32. JS3 stated that the root causes of those harmful practices against people with albinism have been insufficiently addressed. The plight of persons living with albinism remained particularly desperate as local beliefs have cemented a perception that they are unnatural or even "cursed" individuals, which resulted in stigma and discrimination against those persons. Criminals, in the guise of traditional healers, encouraged the notorious mutilations of people living with albinism due to their supposed "magical properties."⁴⁴
33. HAI stated that older women have been killed and others brutally wounded by members of the community on the basis of allegations of performing witchcraft.⁴⁵ JS3 stated that old women were often subjected to stigma, ostracism and violence, usually in response to a misfortune that has affected a certain community.⁴⁶
34. UTSS stated that Tanzania expressed support for five recommendations relating to people with albinism.⁴⁷ As regards the recommendation on launching an education and awareness campaign to prevent stigmatization of persons with albinism, the efforts undertaken have been modest given the scale of the problem.⁴⁸ Efforts undertaken to implement the recommendation to protect the rights of people with albinism had proven to be insufficient to prevent attacks against people with albinism.⁴⁹ In follow-up to the recommendation to ensure protection of persons with albinism, people with albinism had been moved to shelters which were overcrowded, had unsatisfactory sanitary conditions, and a staff who lacked the awareness of the specific medical needs of people with albinism. There were also reports of sexual and psychological abuse.⁵⁰ UTSS stated that Tanzania had not fully committed the resources to halt the attacks against people with albinism despite expressing support for the recommendation to strengthen efforts to halt killings of people with albinism. Attacks against people with albinism continued with an increase of such violence leading up to the general elections in 2015.⁵¹
35. GIEACPC stated that at the 2011 review, Tanzania rejected recommendations to prohibit corporal punishment.⁵² Corporal punishment of children in mainland Tanzania is lawful in all settings – the home, alternative care settings, day care, schools, penal institutions, and as a sentence for crime. In Zanzibar, corporal punishment is prohibited as a sentence for crime and in residential institutions, approved schools and remand homes, but it is lawful in other settings.⁵³
36. JS3 stated that there was evidence of teachers adopting controversial approaches to education and behaviour management including the use of offensive language, verbal abuse and neglect.⁵⁴

37. JS3 stated that sexual abuse of children represented a growing phenomenon in Tanzania. In most cases, the abuse was perpetrated by members of the family and generally not reported. There were also cases of child sexual abuse of 'house girls' by people for whom they worked. Female pupils have been exposed to sexual violence by their teachers.⁵⁵
38. HRW stated that laws did not adequately protect women and girls against violence, including child marriage. Laws failed to consistently define a child, to require full and free consent to marriage, and to criminalize marital rape.⁵⁶
39. HRW stated that victims of child marriage were often reluctant to seek help from the authorities, as they lacked confidence in the justice system. Victims were often subjected to threats of retaliation from the perpetrator and his family, and to community pressure to solve conflicts internally. Those who did seek justice experienced barriers in accessing the formal justice system and pressure to have matters adjudicated through customary processes. These problems were perpetuated by discriminatory customary and Islamic laws and practices on marriage, lack of shelters for survivors of gender-based violence, and poor birth and marriage registration.⁵⁷
40. CRR stated that at the 2011 review, Tanzania accepted recommendations to address the high level of violence against and girls.⁵⁸ However, Tanzania was still failing to effectively implement child protection laws, policies, and action plans throughout the country.⁵⁹
41. CRR stated that early marriage was widespread. The prevalence of early marriage was in part due to the Marriage Act of 1971 which set a disparate minimum age of marriage for males and females, 18 and 15 years, respectively. Even though the law required girls who marry before the age of 18 years to obtain permission from their parents, this provision failed to protect the vast majority of girls, who were compelled to marry by their parents. Furthermore, the law allows marriage as early as 14 years of age with court approval. Some customary and religious laws also allow the marriage of girls who have reached puberty, which can be before the age of 14.⁶⁰ EGPAF stated that early and forced marriage was a HIV risk factor for girls.⁶¹
42. JS6 cited cases of arbitrary arrests and detention of pastoralists and hunter-gatherers, and made recommendations including the setting up of an independent commission of enquiry to investigate the unlawful arrests and other violations.⁶²
43. JS11 stated that prisons conditions throughout the country were poor and that a draft prison policy was yet to be finalized.⁶³
44. JS3 recalled that in the 2011 review, Tanzania supported several recommendations to take action against child labour.⁶⁴ The measures adopted were unsatisfactorily implemented. JS3 stated that it was particularly concerned by the increasing phenomenon of "house girls" where poor families make their daughters work as housekeepers for wealthy families. These girls, many of whom were minors, were often beaten and enslaved.⁶⁵
45. JS3 stated that there were also reported cases of children, mainly street boys and house girls, being exposed to sexual violence for commercial purposes.⁶⁶
46. JS9 stated that despite notable efforts to address trafficking in persons Tanzania was yet to comply with the minimum standards for the elimination of trafficking in persons. It urged Tanzania to implement the National Anti-Trafficking in Person Action Plan of 2013-2017 and the Anti-Trafficking in Persons Act 2008 and to allocate more resources to the Victims Assistance Fund established by the 2008 Anti-Trafficking in Persons Act.⁶⁷

3. Administration of justice, including impunity (part to be added only if relevant), and the rule of law

47. JS6 stated that at the 2011 review, Tanzania supported a recommendation to improve the efficiency of the justice system by inter alia introducing a case management system, which has been partly implemented.⁶⁸ Although there has been an increase in the number of judges in both the High Court and the Court of Appeal, no speed-tracking system of the long pending cases has been put in place.⁶⁹

48. JS6 stated that court cases involving pastoralists and hunter-gatherers' have been subjected to unreasonable delays. For instance, "the Loliondo Constitutional case" has been pending before the High Court of Tanzania since December 2010, despite the case being filed under a certificate of urgency.⁷⁰ JS6 recommended that expeditious consideration of all cases involving constitutional litigation and public interest.⁷¹

49. TAWIA stated that widows faced challenges where their deceased husbands had not executed a will.⁷² It called for the establishment of special units within the court system to consider inheritance cases and other matters relating to the rights of widows and their children.⁷³

50. JS11 stated that the criminal justice system was weak which contributed to impunity.⁷⁴ It also stated that cases involving children were not expediently handled because there was only one juvenile court. It recommended an increase in resources for the juvenile justice sector.⁷⁵

51. ADF International stated that in 2015, Tanzania championed a bill that would make provision for Islamic (Kadhi) courts in the legal system. The courts will only have jurisdiction over Muslims in family matters. Ruling from those courts will not be appealable to the High Court and will be enforceable by government bodies. Muslim women will no longer have the protection of the state in issues of marriage, divorce, child custody, and inheritance.⁷⁶ ADF International recommended the removal of this bill.⁷⁷

52. JS3 stated that the prosecution of alleged perpetrators of harmful practices against people with albinism was slow and expensive, and victims were often discriminated against throughout process.⁷⁸ JS13 stated that Tanzania was unwilling or unable to prosecute alleged offenders of violence against persons with albinism.⁷⁹ JS12 recommended apprehension and prosecutions of principle offenders instead of only their agents; nationwide education and awareness campaigns to prevent stigmatization of persons with albinism; and improvement of schools and other education facilities to meet the needs of persons with albinism.⁸⁰

53. JS11 stated police officers had refused to accept complains from members of key populations and sexual minorities, thereby denying them access to justice.⁸¹

54. JS6 stated that on 15 March 2013, the Court of Appeal in Civil Appeal No.77 of 2012 ruled in favour of the Barabaig pastoralists of Vilimavitatu village declaring that a Wildlife Management Area had been established without the free, prior and informed consent of the pastoralists and that the land should be returned to the community. However, on 4 September 2013 the authorities evicted the Barabaig pastoralists. In another similar case, in 2010, the Pastoralists of Mabwegere Village, Kilosa District, filed an appeal, in a case involving the invasion of their land by farmers. On 30 January 2012, the Court of Appeal ruled in their favour, but the Kilosa District Council refused to implement the judgment, with the Attorney General advising the Prime Minister that the judgment was not implementable.⁸²

4. Right to privacy, marriage and family life

55. LGBT Voice stated that during the 2011 review, Tanzania had not expressed support for recommendations to repeal the criminal provisions in relation to sexual orientation and to combat discrimination based on sexual orientation and gender identity.⁵³ As a consequence of the criminalization of homosexual conduct, the police harass and demean LGBT persons with impunity.⁵⁴

56. JS7 expressed concern about the monitoring of telephone communication and other correspondences, given that the legal framework and oversight of the interception of communication falls short of applicable international law.⁵⁵

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

57. ADF International cited cases of attacks against Christians,⁵⁶ and stated that while Tanzania in theory did guarantee freedom of religion, in practice this freedom was hampered.⁵⁷

58. ARTICLE 19 and JS2 stated that at the 2011 review, Tanzania committed to guaranteeing freedom of expression, association and assembly.⁵⁸ However, Tanzania had not made significant progress in implementing the relevant recommendations. Laws negatively affecting freedom of expression have not been repealed or amended and the space for media to freely operate has become increasingly restricted. Tanzania has also not passed an access to information law.⁵⁹

59. JS5 and JS11 stated that journalists faced harassments, threats, detention, death, torture, defamation, suspension from their employment, and denial of freedom of movement.⁶⁰ ARTICLE 19 and JS2 recommended an investigation into the alleged harassment and attacks against journalists and bringing those responsible to justice.⁶¹

60. JS5 cited cases of suspension of newspapers and radio stations by the Minister of Information and stated that those actions denied Tanzanians the right to information.⁶²

61. JS2 expressed concern that peaceful demonstrations have, on occasion, been violently suppressed by the authorities. Persons considered leaders of such protests have been arrested and subjected to judicial persecution.⁶³

62. JS2 stated that civil society organisations have been threatened or stigmatized by government officials.⁶⁴ JS8 stated that most organizations working with key populations and sexual minorities experienced challenges with the authorities during their registration process.⁶⁵

63. JS9 stated that while there has been an increase in the representation of women in parliament, the judiciary, government bodies and in political parties, women remained under represented in local government.⁶⁶

6. Right to work and to just and favourable conditions of work

64. HRW stated that despite Tanzania expressing its support for recommendations to fully apply the Law of the Child Act and to address child labour as a matter of urgency at the 2011 review,⁶⁷ child labour laws remained unenforced. The National Action Plan on Elimination of Child Labour that had been launched in 2009 was not implemented, and labour inspectors rarely inspect small-scale mines for child labour. HRW stated that children as young as 8 years of age risked their lives working in small mines. Child mines have suffered injuries from pit collapses or accidents with tools. They also face long-term health problems such as respiratory disease and musculoskeletal problems from carrying heavy weights.⁶⁸

65. HRW stated that girls on and around mining sites, particularly those working in small restaurants, are sometimes sexually harassed, pressured into having sex, and commercially sexually exploited.⁹⁹

66. JS8 stated that members of key populations and sexual minorities experienced challenges with employment including denial of employment opportunities.¹⁰⁰

7. **Right to social security and to an adequate standard of living**

67. JS11 stated that there was no legal protection for the rights of elderly people. Also, elderly people did not have health insurance or a sustainable and pensionable income.¹⁰¹

68. JS13 stated that the last annual budget for agricultural sector was 6.5 percent of the national budget. It called for an increase in the budget for the agricultural sector to 10 percent of the national budget, in line with the Maputo Declaration on Agriculture and Food Security, to which Tanzania was a signatory.¹⁰²

69. JS4 stated that since the required fees were unaffordable for small holder farmers, their land rights will remain insecure and possibly under constant threat.¹⁰³ In the extractive industry especially mining, artisan miners have not been given priority over large scale mining investors. There were concerns over the harmful impact of the industry on the environment, unlawful evictions of artisan miners and destruction of their livelihoods.¹⁰⁴

70. JS6 stated that the recommendation on holding responsible alleged perpetrators of forced evictions and pollution of drinking water¹⁰⁵ had been partially implemented. The spilling of toxic materials into river Tighite in Bunda and Lake Bassotu in Hanang had been stopped.¹⁰⁶

71. JS13 stated that Tanzania had two programs aimed at commercializing and modernizing the agricultural sector and expressed concern that the programs affected the occupation of village land and resulted in forced evictions.¹⁰⁷

72. JS13 stated that at the 2011 review, Tanzania reported on two initiatives which were expected to offer cheap houses to enable access to adequate housing. It expressed concern over the high prices of the houses and the lack of proper financing mechanisms for the poor.¹⁰⁸

73. JS10 stated that Tanzania had made efforts in combating poverty, which resulted in economic growth. However, it called for the adoption of strategies that will increase the living standards of the people.¹⁰⁹

74. CS stated that indigenous peoples experienced higher levels of poverty and food insecurity because of their loss of land and the negative effects of climate change. Poverty rates were especially high in the Hanang and Mbulu districts.¹¹⁰

8. **Rights to health**

75. JS10 stated that public health facilities continued to experience a chronic shortage of essential medicines, medical supplies, equipment and health workers.¹¹¹ CRR stated that the health sector was allocated ten percent of the national budget for 2014-2015, which fell short of the fifteen percent committed to by Tanzania, pursuant to the Abuja Declaration.¹¹² JS10 recommended that Tanzania allocate 15 percent of the national budget to the health sector.¹¹³

76. CRR stated that at the 2011 review, Tanzania had supported recommendations to significantly reduce the maternal mortality rate, but remained far from achieving the maternal mortality ratio of 193 deaths per 100 000 live births set by the Millennium Development Goals.¹¹⁴

77. CRR stated that unsafe abortions contributed to maternal deaths, and that women were forced to have unsafe abortions, resulting in preventable injuries and deaths. Post abortion care was not widely available and accessible. The laws and policies on abortion remained inconsistent, unclear and misunderstood.¹¹⁵ There was also a low contraceptive prevalence rate and a high unmet need for contraceptives.¹¹⁶

78. EGPAF stated that access to age-appropriate information about HIV and sexual and reproductive health services was not sufficiently available, partly due to cultural sensitivities about those issues and to the low secondary school attendance level where such education may be provided to adolescents.¹¹⁷ HIV-positive women desiring to limit or space the birth of their children were unable to access family planning services.¹¹⁸ Negative attitudes of health workers prevented women from accessing pre-natal and ante-natal care.¹¹⁹ There were difficulties testing HIV-exposed infants, especially over the long breastfeeding period.¹²⁰

79. HRW stated that sex workers, people who inject drugs and men who have sex with men experienced violence and discrimination which drove them away from health services.¹²¹ LGBT Voice stated that LGBT individuals struggled to access health care and health information due to widespread discrimination based on sexual orientation and gender identity.¹²² JS8 recommended, amongst others, including transgender and intersex people in the national HIV strategies; urging public health providers to make an effort to acknowledge, reach out to, and educate key population groups, as indicated by the Third National Multi-Sectoral Strategic Framework on HIV/AIDS; and providing mandatory trainings on the international standards of non-discrimination to the police, prison and staff and the judiciary with specific emphasis on key populations.¹²³

9. Right to education

80. JS10 stated that the disbursement of the capitation grants, which had been introduced to finance the purchase of textbooks and other learning materials, repairs and maintenance of schools, schools' administrative costs and examinations expenses, were limited.¹²⁴ It stated that there has been deterioration in the quality of education because of challenges which included overcrowding in classroom, shortage of teaching and learning materials and a shortage of teachers.¹²⁵

81. While commending Tanzania for increasing access to primary school education, JS3 stated that the increase in school enrolment had not been complemented by a proportional increase in qualified teachers and classroom resources. There were 140 to 150 children per class, with children sitting on the floor. In spite of the elimination of public primary school fees and the subsidized secondary school fees, parents continued to experience financial pressures from additional fees for school electricity, stationary, exercise books and uniforms. Those expenses significantly restricted access to education, especially for those living in poverty.¹²⁶

82. JS3 stated that many teachers lacked the required qualifications. Also, due to the lack of pedagogical training and knowledge, teachers often ridiculed children with learning difficulties instead of offering them support. Teacher training should include the study of psychology, pedagogy and counselling.¹²⁷

83. JS10 stated that children with disabilities faced challenges in their learning due to a lack of infrastructures and facilities and an acute shortage of learning materials and teachers.¹²⁸ JS3 stated that despite national disability legislation introducing an inclusive approach to education, this methodology was yet to be implemented, thus many children with disabilities were unable to participate in common classes.¹²⁹

84. CRR stated that girls were subjected to mandatory pregnancy testing in schools. A positive pregnancy test usually resulted in the girls being expelled or they simply stop

attending school to avoid the stigma or formal expulsion. A 2014 Education and Training Policy which allowed for the reenrolment of expelled girls, failed to address the forced pregnancy testing and their expulsion.¹³⁰

85. LGBT Voice stated that pupils were expelled from secondary schools solely on the basis of their sexual orientation or gender identity.¹³¹

86. HRW stated that the right to education is being affected by child labour and child marriage. It stated that girls who are married as children are usually unable to continue with their education.¹³²

87. JS10 called for the incorporation of human rights education in the primary and secondary school curricular; as well as a compulsory course on human rights in colleges and universities.¹³³

10. Persons with disabilities

88. JS3 stated that children with disabilities experienced discrimination with some families hiding those children at home.¹³⁴

11. Minorities and indigenous peoples

89. CS recalled that at the 2011 review, Tanzania received recommendations in relation to the rights of its indigenous peoples,¹³⁵ and JS6 recommended implementing those recommendations.¹³⁶

90. JS6 stated that Tanzania has witnessed escalating cases of "land-grabs" and unlawful evictions of pastoralists and hunter-gatherers from their ancestral land.¹³⁷ CS stated that the traditional way of life of the indigenous peoples remained vulnerable to "land-grabbing" and violent conflicts over the use of the land.¹³⁸ The land was being constantly taken for investment opportunities, including large-scale crop cultivation, mining, national parks and wildlife conservancies, and tourist attractions like hunting and safari grounds.¹³⁹

91. CS stated that the ongoing conflicts between farmers and pastoralists as they fight over limited land and water resources has been viewed as a sign of a growing social problem that has occurred because of the failure of Tanzania to set aside specific areas for Indigenous pastoralists and farmers.¹⁴⁰ JS11 recommended the establishment of constitutional and legislative mechanisms to protect pastoralists and hunter-gatherers against discrimination and protection of their land, and a review of the Livestock Policy to accommodate pastoralism or development of a new pastoralist policy.¹⁴¹

12. Migrants, refugees and asylum-seekers

92. JS1 stated that the mandatory encampment of asylum seekers and refugees, as well as the failure to issue adequate identity papers by the Tanzanian authorities severely limited the freedom of movement of asylum seekers and refugees.¹⁴²

93. JS1 stated that refugees could not satisfy all the requirements to obtain a work permit by virtue of their forced displacement and recommended exempting them from the employer sponsorship requirement and other requirements they were unable to satisfy.¹⁴³

94. Where refugee status has not been granted, JS1 recommended that asylum seekers must have prompt access to fair and individualised refugee status determination and be allowed to appeal any negative decision to a different decision maker.¹⁴⁴

13. Right to development and environmental issues

95. JS13 stated that Tanzania had not taken affirmative action to address the long standing land conflicts and called for a secure land tenure system to facilitate the sustainable use of resources and land management.¹⁴³

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status)

Civil society

Individual submissions

ADF International	Alliance Defending Freedom, Geneva, Switzerland;
ARTICLE 19	ARTICLE 19, London, UK;
CRR	Centre for Reproductive Rights, New York, USA;
CS	Cultural Survival, Cambridge, USA;
EGPAF	Elizabeth Glaser Pediatric AIDS Foundation, Geneva, Switzerland;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, Geneva, Switzerland;
HAI	HelpAge International, Dar es Salaam, Tanzania;
HRW	Human Rights Watch, Geneva, Switzerland;
LGBT Voice	LGBT Voice Tanzania, Dar es Salaam, Tanzania;
UTSS	Under the same Sun, Surrey, Canada;
TAWIA	Tanzania Widows Association, Dar-es-Salaam, Tanzania.

National human rights institution

CHRAAG	Commission for Human Rights and Good Governance, Dar es Salaam, Tanzania.
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Joint submissions

JS1	Asylum Access - Refugee Solutions Tanzania, Church World Service, the Legal and Human Rights Centre, and Children Education Society (Joint Submission 1);
JS2	CIVICUS: World Alliance for Citizen Participation, Johannesburg, South Africa, Tanzania Human Rights Defenders Coalition, and Tanzania Association of NGOs, Tanzania (Joint Submission 2);
JS3	Franciscans International, Edmund Rice International, Marist International Solidarity Foundation, Geneva, Switzerland (Joint Submission 3);
JS4	Mtandao wa Vikundi vya Wakulima Tanzania, Lawyers Environmental Action team, Care Tanzania, Civic Education for poverty and Environmental Management, Journalists Environmental Association of Tanzania, Land Rights Research and Resources Institute, HAKIMADINI, Tanzania (Joint Submission 4);
JS5	Media Institute of Southern Africa - Tanzania Chapter, Media Owners Association of Tanzania, Media Council of Tanzania, Legal and Human Rights Centre, Tanzania Human Rights Coalition, JAMII MEDIA, Free Media Ltd, Tanzania Media Fund, Nola (Joint Submission 5);
JS6	Pastoralist Indigenous Non-Governmental Organisations' Forum, International Working Group on Indigenous Affairs, Tanzania Center for Research and Information for Pastoralism, Community Research and Development Services, Ujamaa Community

- Resource Team, Association for Law and Advocacy for Pastoralists, Tanzania Pastoralists Hunter-gatherers Organisation, Tanzania Natural Resources Forum, Longido Community Development Organisation, Pastoralists Livelihood Support and Empowerment Programme, Parakuyo Indigenous Community Development Organisation, Hadzabe Survival Council of Tanzania, Ngorongoro NGOs Network, Laramatak Development Organization, Maasai Women Development Organization, Huduma ya Injili na Maendeleo ya Wafugaji, Monduli Pastoralists Development Organization, Tanzania Pastoralists Community Forum, Umoja wa Wafugaji Mpanda, Community Economic Development and Social Transformation, KINNAPA Development Programme, Sunya Ward Education And Training, Pastoral Women Council and Longido Community Development Organization, Arusha, Tanzania (Joint Submission 6);
- JS7 Privacy International, Tanzania Human Rights Defenders Coalition, Collaboration on International ICT Policy in East and Southern Africa, London, UK (Joint Submission 7);
- JS8 Community Health Education Services & Advocacy, Tanzania Community Empowerment Foundation, Young Women Initiative Group, Waremba Forum, KBH Sisters, Tanzania Trans Initiative, Amka Empowerment, LGBT Voice, House of Empowerment and Awareness in Tanzania, Tanzania Network of People Who Use Drugs, Community of Hope and Support, Youth Movement for Change, Zanzibar Youth Empowerment Association, Tanzania Service Foundation, Zanzibar Society for Sustainable Environment, Wake Up and Step Forward Organization, Community Peer Support Services, Self Help Initiatives Group, and Youth Wings (Joint Submission 8);
- JS9 Tanzania Women Lawyers Association, Tanzania Media Women Association, Tanzania Women Widows Association, Women in Law and Development in Africa, Women's Legal Aid Centre, Zanzibar Female lawyers Association, and Women Action Towards Economic Development, Dar-es-Salaam, Tanzania (Joint Submission 9);
- JS10 Tanzania Council for Social Development, SIKIKA, HAKI ELIMU, Tanzania Education Network, Legal and Human Rights Centre, Benjamin Mkapa AIDS Foundation, Children Education Society, and Stay Awake Network Activities (Joint Submission 10);
- JS11 Action Aid, Action for Democracy and Local Governance, Arusha NGO Network, Association of NGO's in Zanzibar, Asylum Access, Baraza la Katiba Zanzibar, Bethania Empowerment and Support, Better Life, Bloggers Association of Tanzania, Change Tanzania, Children Education Society, Civil Education is the Solution for Poverty and Environmental Management, Community Development Fund, Community Health Education Services and Advocacy, Community Participation Development Association, Dungonet, Emrocare, Gospel Communication Network of Tanzania, Haki Ardhi, Hhaki Elimu, Haki Madini, Hhaki Za Binadamu, Hakikazi Catalyst, Help Street Children and Trust of Tanzania, Home and Care for Aged and Orphans, Humanity Assistance Center, Jamii Media, Jukwaa la Katiba Tanzania, Kasulu Legal Aid, Kiota Women's Health and Development, Kivulini Women's Rights Organization, Lawyers' Environmental Action Team, Legal Aid Committee of the

University of Dar es Salaam, Legal Aid Secretariat, Legal and Human Rights Centre, Leshehabingo, Lindi Women Paralegal Aid Centre, Maasai Women Development Organization, Mbeya Human Rights Organization, Mbeya Human Rights Organization, Mbeya Paralegal Centre, Mbeya Women Organization, Media Council of Tanzania, Media Institute of Southern Africa – Tanzania, Mikono Yetu, Mtandao Wa Jamii Wa Usimamizi Wa Misisitu Tanzania, Mtwara Organization for Legal Assistance, Mtwara paralegal, Musoma Social Development Organization, National Organization for Legal Assistance, Ournalist Environmental Association of Tanzania, Parakuiyo Pastoralists Indigenous Community Development Organization, Pastoral Women's Council of Tanzania, Pastoralists Indigenous Non-Governmental Organization, Pastoralists Tanzania Center for Research and Information on Pastoralism, Policy Forum, Restless Development, Rural Women Development Initiative, Save the Children, Save the Children Resource Centre, Shamsia Women's Group, Sikika, Society for Rural Development Initiative, Society for Women and Aids, Southern Africa Human Rights NGO-Network, Stay Awake Network Activities, Tanganyika Law Society, Tanzania Albino Society, Tanzania Child's Right Forum, Tanzania Council for Social Development, Tanzania Early Childhood Development Network, Tanzania Federation of Disabled People's Organizations, Tanzania Gender Network Programme, Tanzania Human Rights Defenders Coalition, Tanzania Media Fund, Tanzania Natural Resource Forum, Tanzania Network of Legal Aid Providers, Tanzania Pastoralist and Hunter-Gatherer Organization, Tanzania Pastoralist Community Forum, Tanzania Partnership Development Organization, Tanzania Widows Association, Tanzania Women Land Access Trust, Tanzania Women Lawyers Association, Tanzania Youth Alliance, Tanzania Youth Potential Association, Tanzania Youth Vision Association, The Oil, Natural Gas and Environmental Alliance, Tree of Hope Tanzania, Tufae, Ujamaa Community Resource Team, Under the Same Sun, Union of Tanzania Press Club, Wadada Centre, Women and Children First, Women in Law and Development in Africa, Women Wakeup, Women's Legal Aid Centre, Wote Sawa, Youth to Youth, Zanzibar Aids Association and Support for Orphans, Zanzibar Association for Children Advancement, Zanzibar female lawyers association, Zanzibar legal service centre (Joint Submission 11); Shivyawata & Under the Sun, Dar-es-Salaam, Tanzania; Mtandao wa Vikundi Vya Wakulima Tanzania, Tanzania Home Economics Association, Meru Community Bank, Community Banks Association of Tanzania, Mwanga Community Bank, Tanzania Women's Lawyers Association, Mwanza Rural Housing Programme, Mwanza – Tanzania, We Effect (Joint Submission 13).

JS12
JS13

² The following abbreviations are used in this report:

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ CHRAGG, paras. 5 and 6.

- ⁴ See Report of the Working Group on the Universal Periodic Review, United Republic of Tanzania, A/HRC/19/4.
- ⁵ CHRAGG, paras. 2 and 5.
- ⁶ CHRAGG, paras. 7 and 8.
- ⁷ CHRAGG, paras. 11 and 12.
- ⁸ CHRAGG, paras. 9 and 10.
- ⁹ CHRAGG, para. 13. CHRAGG made a recommendation (para. 14).
- ¹⁰ CHRAGG, para. 15. CHRAGG made recommendations (para. 16).
- ¹¹ CHRAGG, para. 23. CHRAGG made recommendations (para. 24).
- ¹² CHRAGG, paras. 9 and 10.
- ¹³ CHRAGG, paras. 19 and 20.
- ¹⁴ CHRAGG, paras. 17 and 18.
- ¹⁵ CHRAGG, para. 25. CHRAGG made recommendations (para. 26).
- ¹⁶ CS, p. 7.
- ¹⁷ JS5, paras. 40-45. JS5 made recommendations (paras. 47 - 51. See also JS11, paras 45 and 46.
- ¹⁸ ADF International, paras. 20-23.
- ¹⁹ ADF International, paras. 24 and 25.
- ²⁰ ADF International, para. 26.
- ²¹ ARTICLE 19, para. 6. See also JS5, paras. 17 -19.
- ²² ARTICLE 19, para. 24 (ii). See also: JS2, para. 7.1 and JS7 para. 46.
- ²³ JS7, paras. 39 and 49.
- ²⁴ ARTICLE 19, para. 24 (ii).
- ²⁵ ARTICLE 19, para. 24 (i). See also JS11, para. 10.
- ²⁶ ARTICLE 19, para. 24 (vi).
- ²⁷ ARTICLE 19, para. 13.
- ²⁸ ARTICLE 19, para. 24 (iv). See also JS5, para. 12.
- ²⁹ HRW, p. 4.
- ³⁰ JS11, para. 64.
- ³¹ JS11, para. 37.
- ³² JS11, para. 48. JS11 made recommendations (paras. 49 and 50).
- ³³ JS11, para. 56. JS11 made recommendations (paras. 57 and 58).
- ³⁴ JS2, para. 7.6.
- ³⁵ JS13, para. 12.
- ³⁶ JS9, paras. 5-11; and JS11, paras. 2-14 and 22. See also HAI, para. 6.
- ³⁷ See also JS9, paras. 34-42.
- ³⁸ EGPAF, para. 19.
- ³⁹ EGPAF, para. 18.
- ⁴⁰ EGPAF, paras. 15 - 17.
- ⁴¹ JS6, para. 6. For recommendations see A/HRC/19/4 (2011), paras. 85.43, 85.44, 85.45 and 85.67.
- ⁴² JS8, para. 2.1. JS8 made recommendations (paras. 2.6-2.9); and JS11, para. 71. JS11 made a recommendation (para. 73).
- ⁴³ JS11, paras 102 and 103.
- ⁴⁴ JS3, para. 25 - 28.
- ⁴⁵ HAI, para. 8. HAI made recommendations (paras. 12 and 13).
- ⁴⁶ JS3, para. 29.
- ⁴⁷ UTSS, para. 9.
- ⁴⁸ UTSS, paras. 10-12, referring to A/HRC/19/4, para. 85.33.
- ⁴⁹ UTSS, paras. 12 and 13, referring to A/HRC/19/4, para. 85.34.
- ⁵⁰ UTSS, paras. 16-18, referring to A/HRC/19/4, para. 85.35. UTSS made recommendations (50-59).
- ⁵¹ UTSS, paras. 19-21, referring to A/HRC/19/4, para. 85.39. For information on the attacks see paras. 29-38.
- ⁵² GIEACPC, para. 1.1, referring to A/HRC/19/4 (2011), paras. 85.7, 86.37, 86.38 and 86.47.
- ⁵³ GIEACPC, paras. 2.1 - 2.7. See also JS10, paras. 19 and 20.
- ⁵⁴ JS3, para. 15.
- ⁵⁵ JS3, paras. 36 and 37.
- ⁵⁶ HRW, p. 2. HRW made recommendations (p. 2).

- ⁵⁷ HRW, p. 2. HRW made recommendations (p. 2).
- ⁵⁸ CRR, para. 16; referring to A/HRC/19/4 (2011), paras. 85.15, 85.25, 85.62, 86.36, 86.37 (endnote 65).
- ⁵⁹ CRR, paras. 16 and 17. CRR made a recommendation (p. 7, para. (e)).
- ⁶⁰ CRR, paras. 18 and 19. CRR made a recommendation (p. 7, para. (f)).
- ⁶¹ EGPAF, para. 23.
- ⁶² JS6, paras. 18-26.
- ⁶³ JS11, para. 51. JS11 made recommendations (paras. 51 and 52.).
- ⁶⁴ JS3, para. 31, referring to A/HRC/19/4 (2011), paras. 85-60, 85.61, 85.74 (all recommendations have been supported) and 86.37 (recommendation has been supported in part; See A/HRC/19/4/Add.1 (2012), para. 3).
- ⁶⁵ JS3, paras. 32 and 33. JS3 made a recommendation (para. 34).
- ⁶⁶ JS3, para. 38. JS3 made recommendations (para. 40).
- ⁶⁷ JS9, paras. 20-26.
- ⁶⁸ JS6, para. 7. For the recommendation see A/HRC/19/4 (2011), para. 85.66.
- ⁶⁹ JS6, para. 7.
- ⁷⁰ JS6, para. 41. See also JS11, para. 100.
- ⁷¹ JS6, para. 42.
- ⁷² TAWIA, p. 3.
- ⁷³ TAWIA, pp. 5-6.
- ⁷⁴ JS11, para. 59. JS11 made a recommendation (para. 61.).
- ⁷⁵ JS11, paras. 112 and 113.
- ⁷⁶ ADF International, paras. 13 and 16.
- ⁷⁷ ADF International, para. 27.
- ⁷⁸ JS3, para. 25 – 28.
- ⁷⁹ JS13, para. 18.
- ⁸⁰ JS12, paras. 1-3 and paras. 10 – 12. See also JS11, paras. 76-89.
- ⁸¹ JS11, para. 71.
- ⁸² JS6, paras. 36 and 37. JS6 made recommendations (paras. 39 and 40).
- ⁸³ LGBT Voice, para. 5. For recommendations see A/HRC/19/4 (2011), paras. 87.1 – 87.3.
- ⁸⁴ LGBT Voice, para. 14. LGBT Voice cited cases of abuse (paras. 15 – 20), and made recommendations (para. 21).
- ⁸⁵ JS7, paras. 11-14. It made recommendations (para. 43).
- ⁸⁶ ADF International, para. 6, footnotes 5-7.
- ⁸⁷ ADF International, para. 8. It made a recommendation in this regard (para. 27).
- ⁸⁸ ARTICLE 19, para. 2. JS2, para. 1.5. For recommendations see A/HRC/19/4, paras. 85.72, 85.73, 86.40, 86.41 and 86.43.
- ⁸⁹ ARTICLE 19, para. 3. See also JS2, paras. 1.5 and 7.
- ⁹⁰ JS5, para. 23. For cited cases see paras. 26 – 32. See also JS11, para. 12 and ARTICLE 19, para. 21.
- ⁹¹ ARTICLE 19, para. 24(v). See also JS2, paras. 7.2 and 7.3 and JS6, para. 33. JS6 made recommendations (para. 34).
- ⁹² JS5, paras. 1 – 7. JS5 made recommendations (paras. 8 - 12).
- ⁹³ JS2, paras. 5.2 and 5.3. It made recommendations (para. 7.4.).
- ⁹⁴ JS2, para. 6.1. It made recommends (para. 7.5).
- ⁹⁵ JS8, paras. 32 and 33. JS8 made recommendations (para. 34 and 35).
- ⁹⁶ JS9, paras. 12 – 19. See also JS11, paras. 17-19.
- ⁹⁷ For recommendations see A/HRC/19/4 (2011), paras. 85.6 and 85.59.
- ⁹⁸ HRW, p. 1. HRW made recommendations (p. 1).
- ⁹⁹ HRW, p. 1. HRW made recommendations (p. 1).
- ¹⁰⁰ JS8, para. 4.1. JS8 made a recommendation (para. 4.5.).
- ¹⁰¹ JS11, para. 90. JS11 made recommendations (paras. 91 and 92).
- ¹⁰² JS13, para. 11.
- ¹⁰³ JS4, p. 4. See also JS13, para. 8.
- ¹⁰⁴ JS4, p. 3. JS4 made recommendations (paras. 4.1-4.8).
- ¹⁰⁵ This recommendation was noted by Tanzania. See A/HRC/19/4/Add.1 (2012), p. 5.
- ¹⁰⁶ JS6, para. 9. For the recommendation see A/HRC/19/4 (2011), para. 86.45.

- ¹⁰⁷ JS13, para. 9.
¹⁰⁸ JS13, para. 10.
¹⁰⁹ JS10, paras. 1 and 2.
¹¹⁰ CS, p. 6.
¹¹¹ JS10, paras. 23 and 24. See also JS9, para. 30. JS9 made recommendations, paras. 31-33 and JS11, para. 105.
¹¹² CRR, para. 4.
¹¹³ JS10, para. 25. JS11, para. 107.
¹¹⁴ CRR, para. 2. CRR made a recommendation (p. 7, para. (a).) See also JS3, paras. 21-22. JS3 made recommendations (para. 24).
¹¹⁵ CRR, paras. 5-7. CRR made a recommendation (p. 7, para. (b).
¹¹⁶ CRR, paras. 9 and 10. CRR made a recommendation (p. 7, para. (c).
¹¹⁷ EGPAF, para. 7.
¹¹⁸ EGPAF, para. 9.
¹¹⁹ EGPAF, para. 12.
¹²⁰ EGPAF, para. 14. It made recommendations Section V, paras. 1 and 2.
¹²¹ HRW, p. 3. HRW made recommendations (p. 4). See also JS8, para. 1.3.
¹²² LGBT Voice, para. 22. It made recommendations (para. 31).
¹²³ JS8, paras. 1.6-1.11.
¹²⁴ JS10, paras. 7 and 8. JS10 made recommendations (para. 10).
¹²⁵ JS10, para. 5. See also JS11, para. 109.
¹²⁶ JS3, paras. 9-11. JS3 made recommendations (para. 18) See also HRW p. 3.
¹²⁷ JS3, paras. 16 and 17. JS3 made recommendations (para. 18).
¹²⁸ JS10, para. 16.
¹²⁹ JS3, para. 13.
¹³⁰ CRR, paras. 13-15. CRR made a recommendation (p. 7, para. (d). See also HRW, p. 2. HRW made recommendations (p. 3).
¹³¹ LGBT Voice, para. 32. It made recommendations (para. 34).
¹³² HRW, p. 2. See also JS10, para. 15. JS10 made recommendations (para. 17).
¹³³ JS10, paras. 3 and 4.
¹³⁴ JS3, para. 13.
¹³⁵ CS, p. 2. CS referred to A/HRC/19/4 (2011), paras. 86.48 – 86.50, and 86.52, which have been noted (A/HRC/19/4/Add.1 (2012), pp. 5-6. See also JS6, para. 11.
¹³⁶ JS6, para. 13.
¹³⁷ JS6, para. 30. See also JS11, paras. 98 and 99.
¹³⁸ CS, p. 3.
¹³⁹ CS, p. 3.
¹⁴⁰ CS, p. 4.
¹⁴¹ JS11, paras. 94 and 95.
¹⁴² JS1, paras. 7. It made a recommendation (para. 20). See also JS11, para. 66.
¹⁴³ JS1, para. 7 and paras. 29-35. See also JS11, para. 68.
¹⁴⁴ JS1, paras. 36-42.
¹⁴⁵ JS13, para. 7.